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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FLEET CONNECT SOLUTIONS LLC, a
Texas limited liability company,

Plaintiff,

v.

EAST-WEST TRANSPORT INC., a Nevada
corporation,

Defendant.

CASE NO.: 2:20-cv-02306-GMN-NJK

**DISCOVERY PLAN AND SCHEDULING
ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED FOR A PATENT CASE**

Under Fed. R. Civ. P. 26(f), Local Rule 26-1, and Patent Local Rules 16.1-1 et seq., the respective Parties, Plaintiff Fleet Connect Solutions LLC (“Fleet Connect” or “Plaintiff”) and East-West Transport Inc. (“East-West” or “Defendant”), conducted a discovery planning conference on April 5, 2021, and hereby submit to the court the following Discovery Plan and Scheduling Order:

<u>Event</u>	<u>Deadline</u>
1. Discovery Cut-Off	January 7, 2022 [approximately 270 days from the parties' 26(f) planning conference. Defendant answered on March 15, 2021. The parties are requesting that the discovery period be calculated from the date of their planning conference on April 5, 2021, because discovery could not be served until after that date. The parties are also requesting an approximate 270-day discovery period because this is a patent case.]
2. Joint Protective Order	April 19, 2021 [14 days after discovery planning conference]
3. Disclosure of Rule 26(a) Initial Disclosures, Asserted Claims, and Infringement Contentions	April 19, 2021 [14 days after discovery planning conference]
4. Disclosure of Non-Infringement, Invalidity, and Unenforceability Contentions	June 3, 2021 [45 days later]
5. Response to Invalidity and Unenforceability Contentions	June 17, 2021 [14 days later]
6. Motion to Amend Pleadings/Parties	October 8, 2021 [91 days to close of discovery]
7. Exchange of Proposed Terms of Construction	July 6, 2021 [92 days from Scheduling Conference]
8. Exchange of Preliminary Claim Construction	July 20, 2021 [14 days later]
9. Submit Joint Claim Construction and Prehearing Statement	August 3, 2021 [14 days later]
10. Opening Claim Construction Briefs	August 24, 2021 [21 days later]
11. Response to Claim Construction Briefs	September 14, 2021 [21 days later]
12. Reply Claim Construction Briefs and Matter Submitted to court for Hearing	September 21, 2021 [7 days later]

<u>Event</u>	<u>Deadline</u>
13. Claim Construction Tutorial, Hearing, and Order from the court	November 19, 2021 [within 60 days after the Reply brief is filed, the court will complete its hearing, and issue its order within an additional 60 days. If the court is unable to issue its order within 120 days after submission of the Reply brief, the court may reset expert disclosure deadlines as requested by a party or stipulation]
14. Disclosure of amended contentions under LPR1-18a and opinion of counsel defense under LPR 1-18b	February 18, 2022 [30 days after Claim Construction Order]
15. Expert Designations	March 21, 2022 [60 days after Claim construction Order issued by court]
16. Rebuttal Expert Designations	April 20, 2022 [30 days after [Expert Designations]]
17. Expert Discovery Cut-off	May 20, 2022 [30 days after Rebuttal Expert Designations]
18. Dispositive Motion Deadline	June 20, 2022 [30 days after expert discovery closes]

IT IS ORDERED that within **30 days** after the court enters a claim construction order, the parties must submit to a Post-Claim Construction Settlement Conference as set by the Court.

IT IS FURTHER ORDERED that any extension of the discovery deadline will not be allowed without a showing of good cause for the extension. All motions or stipulations to extend discovery must be received by the court at least **21 days before the expiration of the subject deadline**. A request made after this date will not be granted unless the movant demonstrates that the failure to act was the results of excusable neglect. The motion or stipulation must include;

- (a) A statement specifying the discovery completed by the parties as of the date of the motion or stipulation;
- (b) A specific description of the discovery that remains to be completed;
- (c) The reasons why the remaining discovery was not completed within the time limit of the existing discovery deadline; and
- (d) A proposed schedule for the completion of all remaining discovery.

1 IT IS FURTHER ORDERED that, if no dispositive motions will be filed within the time
2 specified in this order, then the parties must file a written, joint proposed pretrial order within 30
3 days of the dispositive motion cutoff, on or before **July 20, 2022**. If dispositive motions are filed,
4 then the parties must file a written, joint proposed pretrial order within 30 days of the date the
5 court enters a ruling on the dispositive motions. Within 30 days of the entry of a pretrial order, or
6 as further ordered by the court, the parties must submit to a pretrial settlement conference.

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8 IT IS SO ORDERED.

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11 UNITED STATES MAGISTRATE JUDGE

12 DATED: _____
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15 Respectfully submitted, this 21st day of April, 2021.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 21, 2021, all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing

DISCOVERY PLAN AND SCHEDULING CONFERENCE via email as follows:

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